

choices necessary to create a prosperous future for its people. The contrast in the Middle East between those that seek a peaceful, negotiated solution to a conflict that has gone on far too long, and those that oppose this path, has never been clearer. We must use every tool at our disposal to support those who seek to build the institutions of free societies in the Middle East. The promotion of a strong, prosperous Palestinian economy is a critical component in this struggle, and we commend President Abbas and Prime Minister Fayyad for their efforts and assure them of our continued support.

HONORING CONGRESSIONAL CERTIFICATE OF MERIT RECIPIENT  
BOBBY LINDSEY

**HON. JOHN R. CARTER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 2008

Mr. CARTER. Madam Speaker, I would like to take this opportunity to recognize the successes and achievements of Bobby Lindsey, who has received the Congressional Certificate of Merit award at Round Rock High School in Round Rock, Texas. Bobby has shown exceptional leadership qualities through his involvement in numerous activities which makes him a great candidate for this award.

Bobby has been involved in band throughout high school and is a volunteer and tutor for English as a second language students. Outside of school, Bobby works as a volunteer with people who are learning to speak English.

I congratulate Bobby Lindsey for his achievements in school and in his community and am proud to represent such talented and dedicated people in the 31st District of Texas.

RENEWABLE ENERGY AND JOB  
CREATION ACT OF 2008

SPEECH OF

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 2008

Mrs. LOWEY. Mr. Speaker, I rise today in strong support of H.R. 6049, the Renewable Energy and Job Creation Act. This important legislation would provide critical tax relief to families coping with increased costs of gas and food, while continuing our national investment in renewable energy and conservation programs to reduce our dependence on foreign oil. I am particularly pleased that this legislation includes \$3 billion in energy conservation bonds to help States reduce greenhouse gases.

Protecting the environment for future generations is a collective responsibility. We must each do our part to leave a better, cleaner world than the one we inherited. That has been a guiding principle for my efforts in Congress, and it is our mutual obligation.

Recently, both Rockland County and Westchester County in my district in New York have joined communities nationwide moving to reduce our dependence on foreign oil by passing plastic bag recycling laws.

We know that the production of plastic bags and film plastic worldwide uses over 12 million

barrels of oil per year, accounting for more than 4 percent of the world's total oil production. We also know the disturbing truth that in the United States we use more than 1 billion plastic bags a year, and less than 1 percent of those bags are recycled. Even more troubling, the Environmental Protection Agency estimates the average plastic bag takes up to 1,000 years to decompose—in the process breaking down into smaller pieces that contaminate our soil and waterways and cause injury, illness or death to marine and animal life.

I recently introduced H. Res. 1161 to honor retailers and those State and local governments throughout the nation that have taken similar proactive steps to tackle this critical energy and environmental challenge. In the coming weeks I will also be introducing legislation to establish a national program promoting plastic bag recycling at our retail outlets, and I look forward to working with the members of the Ways and Means Committee, the Energy and Commerce Committee, and the Select Committee on Energy Independence and Global Warming to tackle this issue.

Thank you again to Chairman RANGEL for your leadership on these critically important issues, and I urge my colleagues to support H.R. 6049.

EARMARK DECLARATION

**HON. STEVE CHABOT**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 2008

Mr. CHABOT. Madam Speaker, I submit the following:

Requesting Member: Congressman STEVE CHABOT.

Bill Number: H.R. 5658, The National Defense Authorization Act for Fiscal Year 2008.

Account: Aircraft Procurement, Army.

Legal Name of Requesting Entity: The National Guard Association of the United States.

Address of Requesting Entity: One Massachusetts Avenue, NW., Washington, DC. 20001, (202) 789-0031.

Description of Request: The National Guard and the active Army have developed a two-pronged program to support the continued modernization of the National Guard Black Hawk fleet, however, it is not fully funded. The National Guard wants to accelerate the fielding of "M" series Black Hawks by 10 aircraft per year. In addition, the Army is recapitalizing Army National Guard UH-60A helicopters with a UH-60A recapitalization program funded in the Operations and Maintenance accounts. This program includes an airframe life extension, fleet-wide product improvements and the replacements of components with the latest configurations, however the portion of the program to upgrade the recapitalized UH-60A to the UH-60L configuration is not funded. Upgrading to the UH-60L provides a Black Hawk that is cheaper to operate and one that has 1,000 pounds greater lift than the UH-60A model. A rate of 38 upgrades per year is required to enable Army National Guard units to upgrade or replace all the UH-60As at pace with the active Army.

TROUBLING REPORTS OF MISPLACED PRIORITIES IN THE ADMINISTRATION'S HURRICANE EVACUATIONS PLANS

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 2008

Mr. CONYERS. Madam Speaker, officials recently participating in a Texas hurricane evacuation drill were shocked to learn that the Border Patrol, CBP, planned to check the citizenship or immigration status of the people that they were helping to evacuate. Such a policy is fraught with problems. One car with a flat tire can back up an evacuation for hundreds of miles. Just think about how disruptive and dangerous immigration checkpoints would be, and how many people would remain in harm's way for fear of arrest.

The outrage in Texas, and across the country, was instantaneous. Other law enforcement agencies, State officials, and the press condemned the announcement, and DHS started backpedaling. But this was not an isolated incident or just a mistake. Rather, this comes on the heels of other evacuations in which DHS' priorities have been confused. Such as the California fires in which undocumented aliens were afraid to risk immigration checkpoints and died in the flames. And the administration's refusal to suspend immigration enforcement in the wake of Hurricane Katrina, as had been done after September 11. The immigration enforcement mission must be carried out in the proper context; in the face of a natural disaster or mass casualty event, public safety and humanitarian exigencies must take priority.

We asked for an immediate briefing to get to the bottom of this. Just hours before they were supposed to come brief us, the Border Patrol suddenly said that they had reassessed the policy in light of last week's exercise. They told us that CBP's "primary role in such events will be the safeguarding of life. No enforcement role will be undertaken that will in any way impede the safe and orderly evacuation of any member of the south Texas population." Frankly, I would have been more reassured if the CBP's purported change in policy had not been couched in such equivocal terms.

Later yesterday, Secretary Chertoff stated that "Priority Number One" will be "the safe evacuation of people who are leaving the danger zone." He said that clear instructions have been given to the Border Patrol "to do nothing to impede a safe and speedy evacuation of a danger zone."

So the message seems to have been heard. Rest assured that we will be watching to make sure that the focus truly is on having all hands on deck for humanitarian and evacuation needs, as opposed to diverting DHS resources into ill-conceived—and dangerous—immigration enforcement.

I am very troubled by this episode. It comes on the heels of revelations in recent weeks about medical abuse of immigration detainees. And it comes in the wake of a massive raid in Iowa that disrupted a Department of Labor investigation and resulted in assembly line arrest and prosecution of workers, but not of those who may have abused them. This cascade of controversy leads me to pose one

overarching question—what kind of agency is DHS that there need to be congressional inquiries on so many of their actions before they take into account basic standards of life, safety, health care, due process, and constitutional rights?

I am inserting into the RECORD a letter about the ill-conceived evacuation from leading national Latino and Asian-American civil rights groups: the Asian American Justice Center, the League of United Latin American Citizens, the Mexican-American Legal Defense and Education Fund, the National Association of Latino Elected Officials, and the National Council of La Raza. I am also inserting a fact sheet from the United Food and Commercial Workers about the raids in Iowa, where there are disturbing allegations of union-busting and labor exploitation on the part of the factory owners.

I look forward to working with these groups to make sure that DHS remembers its duty to protect the civil rights of everyone on U.S. soil, regardless of their race, natural origin, or immigration status.

MAY 20, 2008.

Hon. MICHAEL CHERTOFF,  
*Secretary, Department of Homeland Security,*  
*Washington, DC.*

DEAR SECRETARY CHERTOFF: We are writing to express our utter outrage that the Border Patrol would jeopardize the safety of residents of the Rio Grande Valley in the event of a hurricane evacuation by checking the documents of evacuees before they are allowed to board evacuation buses. If you are interested in undercutting the safety of a large segment of the community you are charged with protecting, this is exactly the way to go about it. Indeed, the very news that such an effort is planned, which was reported by the Rio Grande Guardian on May 14, has already undercut the ability of the federal government to protect the population which could be affected by a hurricane or some other natural disaster.

To put it quite simply, a substantial segment of the population—immigrants and U.S. citizens alike—will not participate in an evacuation effort if they believe it to be tainted with the goal of immigration enforcement. Americans with immigrant family members will not participate for fear of jeopardizing their loved ones. In addition, most American citizens do not carry documentation that proves their citizenship. If you proceed with this approach, a great many U.S. citizens will be kept off of evacuation buses because they failed to bring their passports and birth certificates when they fled their homes. To put such people on Border Patrol buses and subject them to immigration enforcement, possibly separating them from their family members in a time of crisis, is foolish and offensive.

We have written to you on this subject in the past, when your decision not to suspend immigration enforcement in the wake of Hurricane Katrina made this the first Administration of either party to jeopardize the safety of disaster victims by conducting immigration enforcement during a rescue and relief operation. We have pointed out publicly that insisting on immigration enforcement in a time of crisis will jeopardize the safety of the American public by undercutting public confidence in vitally important public safety and public health initiatives. To put it bluntly, if the next major crisis is a flu epidemic, the actions of your agency will guarantee that major segments of the population will not come forward for vaccinations out of fear of immigration enforcement.

This tactic by the Border Patrol is not simply offensive, it is dangerous, and we are

shocked and outraged that it has proceeded this far. We urge you in the strongest possible terms to suspend it immediately, and reassure the public that the United States will not undercut our security in a time of crisis by asking for papers before taking people to safety.

Sincerely,

KAREN NARASAKI,  
*Asian American Justice Center.*

ROSA ROSALES,  
*League of United Latin American Citizens.*

JOHN TRASVINA,  
*Mexican American Legal Defense and Educational Fund.*

ARTURO VARGAS,  
*National Association of Latino Elected and Appointed Officials.*

JANET MURGUÍA,  
*National Council of La Raza.*

#### AGRIPROCESSORS FACT SHEET COMPANY SUMMARY

Agriprocessors is one of the world's largest kosher meat producers. The company is based in Postville, Iowa, where it employs over 800 people and produces beef, poultry, turkey, and lamb. The company has a smaller plant in Gordon, Nebraska, which employs roughly 100. Agriprocessors produces meat products under brands such as Aaron's Best, Aaron's Choice, and Rubashkin's. The company's products are sold at well-known retailers such as Trader Joe's and Albertsons.

The plant has been the center of controversy for a variety of issues, including health and safety at the plant, environmental issues, food safety, and animal welfare.

#### HEALTH AND SAFETY ISSUES

In the period of April 2001 to February 2006, OSHA records show no less than 20 violations at Agriprocessors, a meatpacking plant in Postville, Iowa. Of these, 12 were identified by OSHA as serious. An examination of OSHA injury logs at the plant reveals over five amputations along with dozens of other serious injuries such as broken bones, eye injuries, and hearing loss.

On March 20, 2008, the Iowa Occupational Health and Safety Agency (IOSHA) charged Agriprocessors with 39 new health and safety violations with fines totaling \$180,000. For perspective, in 2007, IOSHA issued 19 violations for all meatpacking plants in Iowa with fines totaling over \$120,000. The new citations at Agriprocessors range from amputation risks, fire hazards, electric shock risks, and improperly labeled hazardous chemicals.

Numerous reports in the media and an investigation by an independent commission of Rabbis have revealed numerous cases of worker mistreatment including lack of training, job favoritism, and unsafe conditions.

In January 2008, the U.S. Court of Appeals ruled that Agriprocessors must obey a National Labor Relations Board (NLRB) ruling to bargain. Agriprocessors refused to bargain in September 2005, after a large majority of its distribution center workers voted to join the United Food and Commercial Workers International Union (UFCW). Agriprocessors argued that, despite having hired them, many of these employees were undocumented and therefore they could not vote or belong to a union. The NLRB ruled against Agriprocessors, maintaining that every employee, regardless of immigration status, has a collective bargaining vote.

#### ENVIRONMENT

On August 30, 2006, Agriprocessors, Inc., signed a consent agreement with the United States Environmental Protection Agency (EPA), following a lawsuit arising out of alleged violations of the Clean Water Act. The agreement included specific monitoring and reporting provisions by which the company is required to abide. According to a document obtained by the UFCW through a Freedom of Information Act (FOIA) request, Agriprocessors was in violation of some or all of those requirements as of March 29, 2007. A telephone conversation with the EPA on August 28, 2007 indicated that Agriprocessors notified the EPA that the company had recently completed the required audit. It is unclear if the EPA considers Agriprocessors tardy in completing the audit and what penalties, if any, will be levied. Any findings and recommendations from the audit are also unknown at this time.

In a separate letter from the EPA to the Iowa Department of Natural Resources (IDNR) concerning Agriprocessors' NPDES permit renewal, the EPA raised concerns about compliance with the Clean Water Act at the Postville plant (see attachment).

#### FOOD SAFETY

Various food safety problems have been documented at both Agriprocessors' facilities, the main plant in Postville, IA and a smaller plant in Gordon, NE. These reports were based on documents from the USDA's Food Safety and Inspection Service (FSIS) and revealed a variety of issues, including multiple violations related to monitoring procedures for BSE, or "mad cow." The FSIS also issued citations for sewage problems, fecal and bile contamination of beef and poultry along with foreign objects, and some metallic found during sausage and poultry production. Issues at the Postville plant led one FSIS official to issue a Letter of Warning and to comment in the letter, "These findings lead us to question your ability to maintain sanitary conditions, and to produce a safe and wholesome product."

#### HONORING MR. FRANK WOODRUFF BUCKLES AND ALL WHO SERVED OUR NATION

#### HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 2008

Mr. CLEAVER. Madam Speaker, I rise out of a deep respect for our Nation's sons and daughters whom we honor each year on Memorial Day. On May 26, 2008, the people of our United States will observe the memory of our men and women in uniform, who, throughout our history, made the ultimate sacrifice out of service to our great Nation.

In Kansas City, Missouri, we will gather at Liberty Memorial, the National World War I Museum, to reflect and honor our dead. Mr. Frank Woodruff Buckles, from Missouri, is the last known surviving American World War I veteran and will be present for the ceremony. Mr. Buckles witnessed the evolution of our country from isolation, depression, immigration, to liberation. He was part of a generation who saw all Americans receive the right to vote. He experienced the technological transformation and globalization of our country. He also saw the heartache and ugliness of war.

Ninety-one years ago, our doughboys left home to engage in the War to End All Wars.